

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MEMC ELECTRONIC MATERIALS, INC.,
Plaintiff,

No. C 01-4925 SBA
(Related to Case No. C 05-2133)

v.

ORDER

MITSUBISHI MATERIALS SILICON
CORPORATION, et al.,
Defendants.

[Docket Nos. 508, 510]

On November 4, 2005, Defendants filed a Miscellaneous Administrative Request to File Exhibits 21, 36, 37, 39 and 42 of the Declaration II of Matthew T. Powers in Support of Defendants' Motion for Summary Judgment of Non-Infringement and Invalidity of U.S. Patent No. 5,919,302 Under Seal Pursuant to Local Rule 79-5(d) and 7-11 [Docket No. 508].

Also on November 4, 2005, Defendants filed a Miscellaneous Administrative Request to File Exhibits 3, 4, 7, and Exhibit A to Exhibit 5 of the Declaration of Matthew T. Powers in Support of Defendants' Motion to Exclude the Expert Report Testimony and Testimony of Plaintiff's Expert Lucian Mule'Stagno Under Seal Pursuant to Local Rule 79-5(d) and 7-11 [Docket No. 510].

On December 8, 2005, counsel for Plaintiff, Duane Mathiowetz, filed two declarations [Docket Nos. 562, 563] responding to Defendants' November 4, 2005 Miscellaneous Administrative Requests.

For good cause showing,

IT IS HEREBY ORDERED AS FOLLOWS:

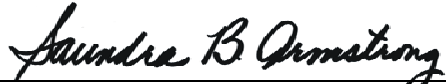
1. Defendants' Miscellaneous Administrative Request to File Exhibits 21, 36, 37, 39 and 42 of the Declaration II of Matthew T. Powers [Docket No. 508] is GRANTED IN PART AND DENIED IN PART.
2. Defendants' Miscellaneous Administrative Request to File Exhibits 3, 4, 7, and Exhibit A to Exhibit 5 of the Declaration of Matthew T. Powers [Docket No.

510] is GRANTED IN PART AND DENIED IN PART.

3. Defendants' request to file Exhibit 21 and Exhibit 42 of the Declaration II of Matthew T. Powers in Support of Defendants' Motion for Summary Judgment of Non-Infringement and Invalidity of U.S. Patent No. 5,919,302 under seal is DEEMED WITHDRAWN. Such documents shall be filed as part of the public record.
4. Defendants' request to file Exhibits 36, 37, and 39 of the Declaration II of Matthew T. Powers in Support of Defendants' Motion for Summary Judgment of Non-Infringement and Invalidity of U.S. Patent No. 5,919,302 under seal is GRANTED. Such documents shall be filed under seal.
6. Defendants' request to file Exhibits 3, 4, 7 and Exhibit A to Exhibit 5 of the Declaration of Matthew T. Powers in Support of Defendants' Motion to Exclude the Expert Report Testimony and Testimony of Plaintiff's Expert Lucian Mule'Stagno under seal is DEEMED WITHDRAWN. Such documents shall be filed as part of the public record.

IT IS SO ORDERED.

Dated: 12/19/05


SAUNDRA BROWN ARMSTRONG
United States District Judge